

## **GENERAL PROVISIONS**

### **1.1 Title, Creation and Adoption**

- 1.1.1** These Regulations shall be known as the Four Corners District Regulations. It is adopted for the Four Corners Zoning District (District), which was adopted on \_\_\_\_.
- 1.1.2** These Regulations are adopted pursuant to Montana Code Annotated (MCA) §76-2-201 et. seq., in accordance with the Gallatin County Growth Policy (Growth Policy) and the Four Corners Community Plan.
- 1.1.3** Copies of these Regulations and Zoning Map are on file for public inspection with the Office of the Gallatin County Clerk and Recorder and the Gallatin County Planning Department (Planning Department).

### **1.2 Legal Description**

Land within the Four Corners Zoning District is legally defined as the following:

#### **Township 1 South, Range 4 East**

Section 34 = All land east of the centerline of River Road;

Section 35 = All;

Section 36 = All;

#### **Township 1 South, Range 5 East**

Section 29 = East  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$ ;

Section 31 = All;

Section 32 = All;

Section 33 = North  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$ ; Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ ; land in the Northwest  $\frac{1}{4}$  described in deed record 63FM1136 in the Gallatin County Clerk and Recorder's Office;

#### **Township 2 South, Range 4 East**

Section 13 = All

Section 14 = All except land west of the centerline of River Road in the Southwest  $\frac{1}{4}$ ;

Section 15 = All land east of the centerline of the Kleughen Ditch in the Northeast  $\frac{1}{4}$ ;

Section 22 = All land east of the centerline of River Road in the Southeast  $\frac{1}{4}$ ;

Section 23 = All except land west of the centerline of River Road;

Section 24 = The North  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$ ; the West  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ ; the West  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ ; the South  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$ ;

Section 25 = The North  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$ ;

Section 26 = The North  $\frac{1}{2}$  of the North  $\frac{1}{2}$ ; land west of Highway 191 in the South  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$ ; land west of Highway 191 in the North  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$ ;

**Township 2 South, Range 5 East**

Section 5 = the West  $\frac{1}{2}$  of the East  $\frac{1}{2}$ ; the East  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$ ;

Section 6 = All;

Section 9 = All;

Section 8 = the West  $\frac{1}{2}$ ;

Section 18 = All land west of the centerline of Lynx Lane; all land north of the centerline of Elk Lane; all land west of the centerline of Beatty Road.

## **ADOPTION**

The Board of County Commission of Gallatin County adopted the Four Corners Zoning District Regulations on \_\_\_\_.

## **GALLATIN COUNTY COMMISSION**

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R. Stephen White, Chair

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William A. Murdock, Member

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Joe P. Skinner, Member

ATTEST:

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Charlotte Mays, Gallatin County Clerk and Recorder

## **1.3 Application of District Regulations**

- 1.3.1 Application. The requirements established by these Regulations are minimum regulations and apply uniformly to each class or kind of structure or land throughout the District. Regulation provisions shall be held to the minimum that protects and promotes the public health, safety and general welfare of the District.
- 1.3.2 Zoning Regulation Conformance. All new construction is potentially subject to the provisions of these Regulations. Property owners are responsible for ensuring all activity within District boundaries conforms to these Regulations.
- 1.3.3 Exception. Under certain circumstances, the Zoning Enforcement Agent may exempt public utility pipelines, wells, or structures necessary for provision of services required for public health and safety, from provisions of these Regulations.
- 1.3.4 Vesting. An application made within the District is subject to the regulations in effect at that time.
- 1.3.5 Contradictions. These zoning regulations do not supersede, replace, or modify covenants or deed restrictions attached to the land within the District. If the requirements of these Regulations conflict with the requirements of any other lawfully adopted rules, regulations or covenants, the most restrictive (or higher standard) shall govern.
- 1.3.6 Interpretations. The Zoning Enforcement Agent, Code Compliance Specialist, Gallatin County Planning Board (Planning Board) and the Board of County Commission of Gallatin County (County Commission) can make official interpretations of the Four Corners Zoning District zoning regulations, boundaries, and map. If questions arise concerning the appropriate classification of a particular use, or if the specific use is not listed, the County Commission shall determine the appropriate classification of that use.
- In interpreting a use classification, the County Commission shall consider the matter in an office meeting and determine that the use:
- A. Is compatible with the uses permitted in the District.
  - B. Is similar to one or more uses permitted in the District.
  - C. Will not adversely affect property in the neighborhood or the District.
  - D. Will not abrogate the intent of the Growth Policy or these Regulations.
- 1.3.7 Natural Resources. These Regulations do not prevent the complete use, development, or recovery of any mineral (including an operation that mines sand and gravel or mixes concrete or batches asphalt), forest, or agricultural resource (MCA §76-2-209).

## **1.4 Intent and Purpose**

- 1.4.1 These Regulations have been made in accordance with the Gallatin County Growth Policy (adopted April 15, 2003) for the purpose of promoting the public health, safety, and general welfare. Additionally, in accordance with MCA §76-2-203, these Regulations are designed to:
- A. Secure safety from fire and other dangers.
  - B. Promote public health, public safety, and the general welfare; and
  - C. Facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.

## **1.5 Invalidation and Severability**

- 1.5.1 If any section, subsection, subdivision, sentence, clause, paragraph, or phrase of these Regulations, or any attachments hereto, is for any reason held to be unconstitutional or void, such decision shall not affect the validity of the remaining portions of these Regulations to render the same operative and reasonably effective for carrying out the main purpose and intention of these Regulations.